

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 12-3488

Donna Nichols

Appellant

Donald E. Moeller

Appellee

v.

Douglas Weber, Warden, South Dakota State Penitentiary, et al.

Appellees

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Appeal from U.S. District Court for the District of South Dakota - Sioux Falls  
(4:04-cv-04200-LLP)

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**MANDATE**

In accordance with the judgment of 10/29/2012, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

October 29, 2012

Clerk, U.S. Court of Appeals, Eighth Circuit